

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
TACOMA DIVISION

DARRELL D. MACINTYRE,

Civil No. 3:14-CV-05253-KLS

Plaintiff,

vs.

ORDER

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including, but not limited to, the following actions specified below. The Appeals Council will consult with its medical support staff to determine if Plaintiff meets or equals any listing given the evidence submitted since the State agency medical/psychological consultants reviewed the case. In the event that the Agency does not make a finding of disability based on the record, the case will be returned to an administrative law judge (ALJ) to take the following actions:

- Further consider, and specify the weight given to, the opinions of Dr. Coder (Tr. 468-

1 474), Dr. Smith (Tr. 451-455), Dr. Peterson (Tr. 243-247), Dr. Tapper (Tr. 501-506,  
2 516-517), Dr. Marano (Tr. 576-583), Dr. Staley (Tr. 495, adopting Tr. 266-273), Dr.  
3 Kraft and Dr. Kester (Tr. 262-265, 496), and Ellen Smith, M.S., CCC-A (Tr. 475-478).

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- Further consider Plaintiff's subjective complaints.
- 5 • Further consider Plaintiff's residual functional capacity.
- 6 • Further consider the Department of Veterans Affairs disability rating (Tr. 565-572).
- 7 • If the sequential evaluation proceeds to step five, further consider with the assistance  
8 of additional vocational expert testimony Plaintiff's ability to perform other work in the  
9 national economy.

10 This case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

11 Upon proper presentation, this Court will consider Plaintiff's application for costs, expenses,  
12 and reasonable attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412.

13 DATED this 11<sup>th</sup> day of August, 2014.



14  
15 Karen L. Strombom  
16 United States Magistrate Judge  
17

18 Presented by:

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